



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Ordinance No. 1760 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Title 2 – Administration and Personnel Chapter 2.44 by Repealing in its Entirety Section 2.44.030 Relating to Maximum Age"

MEETING DATE: June 15, 2005

PREPARED BY: City Clerk

RECOMMENDED ACTION: Motion waiving reading in full and (following reading by title) adopting the attached Ordinance No. 1760.

BACKGROUND INFORMATION: Ordinance No. 1760 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Title 2 – Administration and Personnel Chapter 2.44 by Repealing in its Entirety Section 2.44.030 Relating to Maximum Age" was introduced at the regular City Council meeting of June 1, 2005.

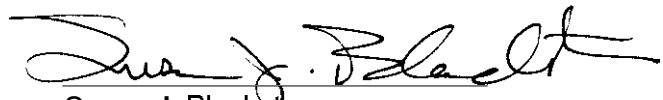
ADOPTION: With the exception of urgency ordinances, no ordinance may be passed within five days of its introduction. Two readings are therefore required – one to introduce and a second to adopt the ordinance. Ordinances may only be passed at a regular meeting or at an adjourned regular meeting; except for urgency ordinances, ordinances may not be passed at a special meeting. Id. All ordinances must be read in full either at the time of introduction or at the time of passage, unless a regular motion waiving further reading is adopted by a majority of all council persons present. **Cal. Gov't Code § 36934.**

Ordinances take effect 30 days after their final passage. **Cal. Gov't Code § 36937.**

This ordinance has been approved as to form by the City Attorney.

FISCAL IMPACT: None.


FUNDING AVAILABLE: None required.


Susan J. Blackston
City Clerk

SJB/JMP

Attachment

APPROVED:


Blair King, City Manager

ORDINANCE NO. 1760

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
AMENDING LODI MUNICIPAL CODE TITLE 2 -ADMINISTRATION
AND PERSONNEL CHAPTER 2.44 BY REPEALING IN ITS ENTIRETY
SECTION 2.44.030 RELATING TO MAXIMUM AGE

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

Section 1. Lodi Municipal Code Title 2 "Administration and Personnel" Chapter **2.44** is hereby amended by repealing Section 2.44.030 - Maximum Age in its entirety.

Section 2 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a **mandatory duty of care** towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

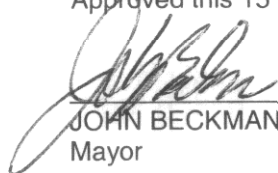
Section 3. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 4. This ordinance shall be published one time in the "Lodi News Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Attest:


SUSAN J. BLACKSTON
City Clerk

Approved this 15th day of June, 2005.


JOHN BECKMAN
Mayor

State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1760 was introduced at a regular meeting of the City Council of the City of Lodi held June 1, 2005, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held June 15, 2005, by the following vote:

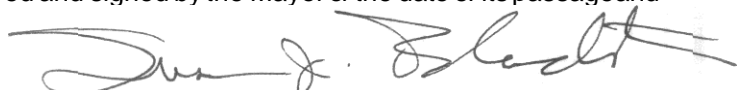
AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce, and Mayor Beckmsn

NOES: COUNCIL MEMBERS – None

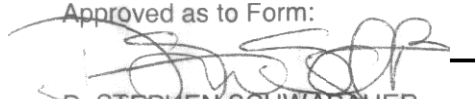
ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

I further certify that Ordinance No. 1760 was approved and signed by the Mayor of the date of its passage and the same has been published pursuant to law.


SUSAN J. BLACKSTON
City Clerk

Approved as to Form:


D. STEPHEN SCHWABAUER
City Attorney